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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,662	12/08/2000	David A. Mantell	105713	1567

7590 07/29/2004
Oliff & Berridge PLC
P.O. Box 19928
Alexandria, VA 22320

EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT PAPER NUMBER

2626

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,662

Applicant(s)

MANTELL, DAVID A.

Examiner

Saeid Ebrahimi-dehKordy

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2,3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hudson et al (U.S. Patent 6,042,211)

Regarding claim 1 and 11 Hudson et al disclose: An method for forming an image using an image processing device (please note Fig.1 item 12 the printer) comprising: inputting image data representing an image (please note column 3 lines 17-19) determining drop assignment values to provide a multi-level output (please note column 3 lines 6-15) and forming images based on the image data and the determined drop assignment values wherein the drop assignment values overlap (please note column 8 lines 10-25)

Regarding claim 2 and 12 Hudson et al disclose: The image processing method of claim 1, further comprising running independent drop assignment routines (please note column 5 lines 43-46).

Regarding claim 3 and 13 Hudson et al disclose: The image processing method of claim 2, wherein one of the drop assignment routines is error diffusion (please note column 5 lines 33-43).

Regarding claim 4 and 14 Hudson et al disclose: The image processing method of claim 2, wherein one of the drop assignment routines is half-toning (please note column 5 lines 33-55).

Regarding claim 5 and 15 Hudson et al disclose: The image processing method of claim 2, wherein a gray level introduced by one of the drop assignment routines is lower than another or the drop assignment routines (please note column 8 lines 10-22).

Regarding claim 6 and 16 Hudson et al disclose: The image processing method of claim 1, wherein the drop assignment includes assigning various drop sizes to at least two levels (please note column 9 lines 45-59).

Regarding claim 7 and 17 Hudson et al disclose: The image processing method of claim 1, wherein the drop assignment includes assigning various number of drops to at least two levels (please note column 5 lines 44-54).

Regarding claim 8 and 18 Hudson et al disclose: The image processing method of claim 1, wherein the drop assignment includes assigning various drop sizes to at least two levels (please note column 9 lines 45-59).

Regarding claim 9 and 19 Hudson et al disclose: The image processing method of claim 1, wherein the drop assignment includes assigning drops of varying concentration to at least two levels (please note column 4 lines 66-67 and column 5 lines 1-11).

Regarding claim 10 and 20 Hudson et al disclose: The image processing method of claim 1, comprising running one drop assignment routine (please note column 3 lines 52-55).

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Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

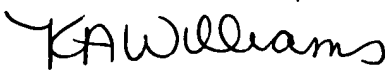
Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
July 19 2004


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER